

18. A trimming attachment for a lawn maintenance vehicle, the attachment comprising:

- a frame member which is integral with the lawn maintenance vehicle;
- a pivot arm for inducing lateral motion in a horizontal direction having first and second ends, the first end of the pivot arm being connected to the frame member at a pivot point;
- a motorized trimming means attached to the second end of the pivot arm;
- the pivot arm having first and second portions, the first portion of the pivot arm including the first end of the pivot arm which is connected to the frame member and the second portion of the pivot arm including the second end of the pivot arm to which the motorized trimming means is attached;
- the first portion of the pivot arm being attached to the second portion of the pivot arm by a pivoting connection such that the second portion of the pivot arm is allowed to move in the vertical direction; and
- a control lever connected to the pivot arm between the first and second ends.

REMARKS

Claims 1-15 and 17-18 are pending in this case. Claims 1-12 and 17-18 have been rejected. Claims 13-15 have been allowed. Claim 6 has been removed from consideration. Claim 1, 2, 4, 10 and 17-18 have been amended to more particularly point out the subject matter claimed by the Applicant as his invention. No new matter has been added.

The Examiner has rejected claim 6 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 6 has been removed from consideration.

The Examiner has rejected claims 1, 3, 5-9, 11-12 and 16-18 under 35 U.S.C. §102(b) as being anticipated by Skovhoj. The Examiner has indicated that Skovhoj discloses a removable frame member at element 210, however, element 210 is actually a socket (col. 4, line 19) and is

not a removable frame member; however a removable frame member is not claimed in the instant application. Instead, the instant application claims "a frame member which is removably connectable to the lawn maintenance vehicle." The trimmer in Skovhoj is not connected to a removably connectable frame member as claimed in the instant invention. Instead, the attachment means for the trimmer described in Skovhoj is simply a hole (210) into which a pin (208) on the trimmer is inserted. Skovhoj does not describe or suggest the use of a frame member which is removably connectable as is claimed in the instant invention. Further, the Examiner states that the Skovhoj trimmer includes a means for automatically adjusting the vertical height of the motorized trimming means but does not cite any element which accomplishes this task or reference any part of the specification which describes automatic adjustment. In fact, Skovhoj states, at col. 5, lines 42 - 49 that all vertical adjustments are performed manually:

Grass trimmer 190, as shown in detail in Fig. 9, is *rotatable on a vertical axis* on post 208 as indicated by arrow 290, extensible by the movement of parallelogram unit 196 as indicated by arrow 292, and *vertically adjustable* by the movement of parallelogram unit 198 as indicated by arrow 294. All these movements are performed *manually* by the manipulation of handles 230.
(emphasis added)

Thus, Skovhoj neither anticipates nor renders obvious the instant invention as presently claimed.

The Examiner has rejected claims 1-4, 6-8, 10-12 and 16 under 35 U.S.C. §102(e) as being anticipated by Lane. As discussed with the Examiner on May 14, 2003, independent claims 1, 17 and 18 have been amended to specify that lateral movement is accomplished by the present invention, as is understood by those of ordinary skill in the art, in a horizontal direction. The Lane reference neither shows nor suggests lateral movement in the horizontal direction of the trimming attachment described therein. The instant invention as presently claimed is neither anticipated by nor rendered obvious in view of the Lane reference. Because claims 2, 4 and 10 have only been rejected in view of Lane, claims 2, 4 and 10 have been amended to include the limitation of the base claim, namely independent claim 1. No intervening are involved as claims 2, 4 and 10 depended directly on claim 1. Thus, in view of the agreement reached with the

Examiner concerning the amendment to the "lateral movement" language, it is believed that claims 2, 4 and 10 are now allowable.

All claims now in the application are deemed patentably distinguishable over the art applied and noted, but not relied upon. Accordingly, allowance of the application is solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kimberly A. Chasteen", with a long horizontal flourish extending to the right.

Kimberly A. Chasteen
Reg. No. 36,755

May 14, 2003

(757) 249-5100

Williams Mullen
1 Old Oyster Point Road, Suite 210
Newport News, VA 23692

#359668 v1 - resp to OA - MITCHELL - tractor attachment